

SUBCHAPTER B : GENERAL PROVISIONS AFFECTING THE IRRIGATORS ADVISORY COUNCIL

§344.10. Irrigators Advisory Council.

(a) The Texas Irrigators Advisory Council is composed of nine members appointed by the commission. Appointments to the council will be made without regard to the race, creed, sex, religion, or national origin of the appointees. The purpose of the council is to give the commission the benefit of the members' collective business, environmental, and technical expertise and experience with respect to matters relating to the licensing of landscape irrigators, and installers. The council has no executive or administrative powers or duties with respect to the operation of the commission, and all such powers and duties rest solely with the commission.

(b) Six members of the council must be licensed irrigators who are residents of this state, experienced in the irrigation business, and conversant in irrigation methods and techniques.

(c) Three members must be representatives of the public. A person is not eligible for appointment as a public member if the person or the person's spouse:

(1) Is licensed by an occupational regulatory agency in the field of irrigation; or

(2) Is employed by, participates in the management of, or has, other than as a consumer, a financial interest in a business entity or other organization related to the field of irrigation.

(d) A council member or an employee of the commission connected with the administration of this section may not be an officer, employee, or paid consultant of a trade association in the irrigation industry and may not be related within the second degree by affinity or consanguinity to a person who is an officer, employee, or paid consultant of a trade association in the irrigation industry.

(e) A person who, because of the person's activities on behalf of a trade or professional association in the irrigation industry, is required to register as a lobbyist under Chapter 305, Texas Government Code, may not serve as a member of the council.

(f) It is grounds for removal from the council if a member;

(1) Does not meet, at the time of the appointment, the qualifications required by subsection (b) or (c) of this section for appointment to the council;

(2) Does not maintain during service on the council the qualifications required by subsection (b) or (c) of this section for appointment to the council;

(3) Violates a prohibition prescribed by subsection (d) or (e) of this section; or

(4) Fails to attend at least one-half of the regularly scheduled meetings held each year, excluding meetings held when the person was not a council member.

(g) The members of the council serve six-year terms, with the terms expiring February 1 of each odd-numbered year.

(h) A member of the council is entitled to a per diem as set by legislative appropriation for each day that the member engages in the business of the council. A member is entitled to reimbursement for travel expenses, including expenses for meals and lodging, as provided for in the General Appropriations Act.

(i) Meetings must be conducted in compliance with Chapter 551, Texas Government Code.

(j) A majority of the council constitutes a quorum for conducting business.

(k) The council will elect a chairman by a majority vote at the first meeting each fiscal year.

Adopted May 29, 1996

Effective June 28, 1996

Repeal of: §§344.21, 344.24, 344.27, 344.30, 344.33, 344.36, 344.39, 344.42, 344.45, 344.48

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